IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 1048 of 2002

Date of Decision: 22nd June, 2007.

Hitesh Shukla	Petitioner
Versus	
Union of India and another	Respondents

Coram

The Hon'ble Mr. Justice Sanjay Karol, J.

Whether approved for reporting[1]?

For the petitioner: Mr.Surinder Sharma, Advocate.

For the respondents: Mr.Sandeep Sharma, Assistant Solicitor General of India.

Sanjay Karol, J. (Oral)

Petitioner has filed the present petition with the following prayers:-

"(i) That the respondents may be directed to consider the case of the petitioner for appointment to the post of SI/GD on compassionate grounds from the date he has acquired the minimum qualifications with all consequential benefits;

(ii) Any other relief as may be deemed just and proper keeping in view the facts and circumstances of the case may also be granted in favour of the petitioner.

Shri G.C.Shukla, IInd-in-Command, G.C., Falakata, was murdered at G.C., Ghitorni on 16.3.1997 and an FIR No.427/97 was

[1] Whether the reporters of Local Papers are allowed to see the Judgment?

registered under Section 302 IPC on 30.7.1997 at Police Station Mehrauli. A request was made by the mother of the petitioner to the respondent for considering him for appointment on compassionate grounds. After exchange of certain letters, it is so found that vide letter dated 11.2.1998 Commandant, Group Centre, SSB, Falakata, favourably recommended the case of petitioner for considering him for such appointment. However, since petitioner had not acquired the minimum educational fulfilling the eligibility criteria he was so advised to do so and having so acquired he again represented for appointment on compassionate grounds.

From the reply filed by the respondent to the writ petition, it is clear that respondents wanted to consider him for appointment on compassionate grounds and for the said purpose petitioner was asked/required to appear in the prescribed PET/written test.

Keeping in view the peculiar facts and circumstances as also the reply filed by respondents, interests of justice would be met if the respondents are directed to consider the case of petitioner for appointment on compassionate grounds, in accordance with law. Petitioner is directed to pursue his case with the authorities immediately and the respondents are directed to consider and decide the same as expeditiously as possible, preferably within a period of four months from today.

With the above observations and directions, writ petition is disposed of.

22nd June, 2007
(C)

(Sanjay Karol),
Judge